

MAR. 14. 2006 12:27PM

CHOATE HALL & STEWART 6172484000

NO. 436 P. 1

CHOATE

CHOATE HALL & STEWART LLP

**RECEIVED
CENTRAL FAX CENTER****MAR 14 2006****Fax****CONFIDENTIAL**

Recipient	Company	Fax	Phone
Examiner Huynh	USPTO - Art Unit 1644	(571) 273-8300	(571) 272-0676
From	Charles E. Lyon, D. Phil.	Number of Pages	21 (including this page)
Date	March 14, 2006	Client Number	2002834-0232
Phone	(617) 248-4793	Operator	Time Sent

Comments	Applicant:	Caplan	Examiner:	Huynh
	Serial No.:	10/728,323	Art Unit:	1644
	Filing Date:	December 4, 2003		
	Title:	MICROBIAL DELIVERY SYSTEM		

In response to the Office Action mailed by the United States Patent and Trademark Office on September 14, 2005, for the above-identified application, the following documents are submitted:

1. Transmittal (1 page);
2. Response to Office Action (17 pp);
3. Petition for Three Month's Extension of Time Under 37 CFR § 1.136(a) (1 page.);
4. Credit Card Payment Form in the amount of \$510.00 for Petition (1 page.); and
5. This Facsimile cover sheet (1 page).

Respectfully Submitted,
CHOATE, HALL & STEWART LLP

Dated: March 14, 2006

Charles E. Lyon, D. Phil.
Registration No. 56,630

Return by **Inter-office Mail** **Hold for pick-up**

This Message is transmitted to you by the law firm of Choate, Hall & Stewart LLP. The substance of this message, along with any attachments, may be confidential and legally privileged. If you are not the designated recipient of this message, please destroy it and notify the sender of the error by return e-mail or by calling 1-800-520-2427.

Under regulations of the Treasury Department, we are required to include the following statement in this message: Any advice contained herein (or in any attachment hereto) regarding federal tax matters was not intended or written by the sender to be used, and it cannot be used by any taxpayer, for the purpose of avoiding penalties that may be imposed on the taxpayer.

For more information about Choate, Hall & Stewart LLP, please visit us at www.choate.com
Two International Place | Boston MA 02110 | t 617-248-5000 | f 617-248-4000 | choate.com

4053302v1

BEST AVAILABLE COPY

RECEIVED
CENTRAL FAX CENTER

MAR 14 2006

ATTORNEY DOCKET NUMBER: 2002834-0232 (Bacterial Delivery DIV2)

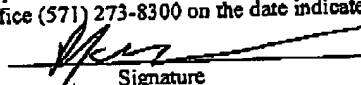
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Caplan
Serial No.: 10/728,323
Filing Date: December 4, 2003
Title: MICROBIAL DELIVERY SYSTEM

Examiner: Huynh
Art Unit: 1644

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Certificate of Facsimile Transmission Pursuant to 1096 OG 30-31	
I hereby certify that this correspondence is being facsimile transmitted to the United States Patent & Trademark Office (571) 273-8300 on the date indicated below.	
March 14, 2006 Date	 Signature
	Mary Wilson Typed or Printed Name of person signing certificate

TRANSMITTAL LETTER

Enclosed please find the following documents regarding the above-referenced matter:

- 1) Response to Office Action mailed September 14, 2005 (17 pages);
- 2) Petition for Three Month's Extension of Time (1 page); and
- 3) Credit Card Payment Form in the amount of \$510.00 for Petition (1 page).

Please charge any additional fees or credit any overpayments to our Deposit Account No. 03-1721.

Respectfully submitted,



Charles E. Lyon, D.Phil.
Reg. No.: 56,630

Date: March 14, 2006

CHOATE, HALL & STEWART LLP
Two International Place
Boston, MA 02110
Tel: (617) 248-5000
Facsimile: (617) 248-4000